G.R.S. 57.]

Ch 103 of 1906-07
" 63 of 1909 (1-2)
" 269 - 08 (1-3)
" 252 of 07 (1-3)

File No. 63- 1909

Serial Nos. 3 - 14

190

GENERAL AND REVENUE SECRETARIAT.

(Courts)

Part A: Manuscript
for March 1912

Munsiffs Court jurisdiction over the Koppa Taluk (RA. Subject No 382 of 1909)

Serial Nos.

3. To the Registrar, Chief Court of Mysore.
No J 3-72 dy 19. 4 1910.
Calls for the opinion of the Chief Court on the Matter.

To the Deputy Commissioner, Kadur Dt.
No J 3073 dy 19.4.1910
Calls for his opinion on the Matter.

4. From the Registrar Chief Court
No J 4083 dy 22-4-1910
GPB—5,000-20-3-06. 270
States that the Chief Judge quite recognizes the grievance of the Koppa and Sankeri people, but he does not see his way

his way to recommend any Re distribution of work, and that when he visits Shimoga he will inquire further, and see whether anything can be done

5. From the Deputy Commissioner, Kadur District
No. J 130 Dy 24.9.10

States that the grievance of the people of Koppa is a Real one and that the subject deserves the favourable Consideration of Govt and adds that it is desirable to re establish the Court at Yedehalli

6. From Nanjundappa and others of Kop,
Petition Dy 5-11-10

Pray for the transfer of the Civil Jurisd over Koppa to the Munsiff's Court at Sh for the establishment of a Court at Yedeha

7. To the Registrar, Chief Court
No. J 1710 Dy 6-12-1910

Forwards for information a Copy of letter Dy 24.9.10 from the Dy Commr Kadur (Sh and requests to be favoured with a full report in the matter when ready

8. From the Registrar Chief Court
No. $\frac{4055}{3494}$ Dy 2.3.1911

Forwards a Copy of letter No. A Dy 11.2.11 from the District Judge, Shimoga, and States that the Judges of the Chief Court are agreed in thinking that the better and more economical plan will be to appoint a Second Munsiff at Shimoga, and that if this View Commends itself to Govt, detailed

4

No. C. 95.
30. 9. 911.

S. 11] 1909-10

GENERAL AND REVENUE SECRETARIAT

(Courts.)

NOTES.

C&R File. No. 63-09.

Civil File Heading.

[Munsiffs' Courts] Jurisdiction over the Koppa Taluk (R.A. Subject. N° 386 of 1909)

From

No.	Dated	Received

Diary No.	Enclos.	Spare Copies.	Serial No.

Brief Abstract of Letter.

NOTES AND ORDERS

Notes—First sheet.

MGCPB—30,000—17-2-05.

SUBJECT No. 386.

Re-adjustment of civil jurisdiction.

Messrs. S. Sitaramaiya and S. R. Balakrishna Rao, Shimoga Municipality.

Summary of discussion.—The civil jurisdiction over the taluks of Koppa and Tarikere may be taken away from the Munsiff's court at Chikmagalur and transferred to the court of the Sub-Judge or Munsiff at Shimoga. The people of Koppa have memorialised Government in this matter. As for the Tarikere Taluk, it has four railway stations and the journey to Shimoga is easier and cheaper than that to Chikmagalur.

Reply of Government.—Noted for consideration after local enquiry.

Subd. with a draft to the Chief Court. (Please see also C/ file No 2690 and 623-09)

HCS CW
14.4.1910

Issue draft
Correct also the D.C. of
Kadur

14/4/1910 Viyannaya

3 To the Registrar, Chief Court of Mysore
No J 3072 dt 19.4.1910
Calls for the opinion of the Chief Court in the matter

To the Deputy Commissioner Kadur Dist
No J 3073 dt 19.4.1910.
Calls for his opinion in the matter

FJ.O

G. R. S. 12]
General and Revenue Secretariat.

(Sh. 3&4) 3

C.S. File No. 63 of 1909-10

Serial No. 4

From the Registrar, Chief Court
No 4583 / 270 dt 22.4.1910.
States that the Chief Judge quite recognizes the grievance of the Koppa and Tarikere people, but he does not see his way to recommend any redistribution of work, and that when he visits Shimoga he will inquire further, and see whether anything can be done

3 Subd. The opinion of the Deputy Commr. Kadur Distt. may be awaited
HCS 29.4.1910. N 4 Submitted in the meanwhile
to 2 nd Asst for information
Shivyanna

D 3423.

H.V. Ranganna 29/4/10
30/4/10
D 3423 1/5/10

5 From the Dy Commissioner, Kadur
No 130 dt 24.9.10.
States that the grievance of the people of Koppa is a real one and the Subject deserves the favourable Consideration of Govt and adds that it is desirable to

NOTE—Contn. sheet.

GPB—55,000—27.4.09

G. R. S. 12]
Ge ral and Revenue
ecretariat.

CS File No 63 of 1909-10.

Serial No.

Re establish the Court at Yedehalli

Subd for orders.

Ster
12-10-10

To Submitted to Govt C.V for
info in the meanwhile as the subject
comes up for discussion

Seen
Ramanadayya
15/10/10

Srinivasamurya
13/10/10

To Subd. The Registrar's letters states that when the Chief Judge visits Shimoga, he will see enquire further and see whether anything can be done. May the further report be awaited Subd for orders.

CS. CN
9-10-10

To Submitted to Govt C.V for info in the meanwhile as the subject comes up for discussion

Srinivasamurya
13/10/10

Seen
Ramanadayya
15/10/10

To Subd. The Registrar's letters states that when the Chief Judge visits Shimoga, he will see enquire further and see whether anything can be done. May the further report be awaited Subd for orders.

CS. CN
9-10-10

NOTE.—Contn. sheet

GPB—50,000—12-8-10

G. R. S. 12]
General and Revenue Secretariat.

Ct. File No. 63 of 1909—10

5

Serial No. 6

From Nanjundappa and others of Kolpa Petition 8 5-11-10.

Pray for the transfer of the Civil jurisdiction over Kolpa to the Munsiffs Court at Shimoga or for the establishment of a Court at Yedehalli

Subd for orders. The subject was discussed at the last session of the Representative Assembly.

16/11/10 SN C.S. Put up with the file on the subject which is yet under consideration

Sub Ct. orders are as this being file

15-11-10

16/11/10

to

Subd for orders for perusal with the letter of the Deputy Commr of Kadur promised reporting the Chief Court has not yet been received.

24/11/10

D. 885.

Send copy of D.C.'s letter to Chief Court and ask for a final reply when ready

Draft for signature

28/11/10

NOTE—Contn. sheet.

GPB—55,000—2-4-09

Serial No.

Draft Subd

12

18

2 Issues

1/12/10

27 To the Registrar, Chief Court
No. J. 1710 & 6-12-1910.
Forwards for information a copy of letter & 24.9.10 from the Dy Commissioner, Kadur (8 S), and requests to be favoured with a final report in the matter, when ready.

8 From the Registrar, Chief Court
No. 4085 - 8494 & 2.3.1911
Forwards a copy of letter No. A. & 11.2.11 from the District Judge Shimoga, and states that the Judges of the Chief Court are agreed in thinking that the better and more economical plan would be to appoint a second Munsiff to Shimoga, and that if this view commends itself to Govt, detailed proposals will be

PJO

Serial No.

Submitted for consideration

Subd for orders

Stcg (122)

8-3-11

SM(11)

14 In all these matters of adjusting the territorial jurisdiction of different Civil Courts in the State it seems hopeless to hope for an "ideal" arrangement which would give satisfaction to all parties and give just enough work — and neither more nor less — to each of the Courts. The work of the Shimoga Munsiff is heavy as it consists of about 400 original suits, a large proportion of which is keenly contested. Relief is occasionally given to him now by transferring a batch of cases to the Subordinate who is surely not overworked

15 From this point of view an additional Munsiff's Court at Shimoga is not absolutely necessary if the object is to give relief to only to the Shimoga Munsiff.

16 But the matter is complicated by the grievances of the

NOTE—Contn. sheet.

GPB—50,000—12-8-10

G. R. S. 12]
General and Revenue Secretariat.

File No. of 19

Serial No.

people of the Koppa Taluq which seem to be very real, as pointed out by the D.t Judge in his letter. If relief is to be given to these people and if the re-establishment of the Court at Yedehally is considered inexpedient the only feasible Course appears to be that Establishment of a second Court at ~~Yedehalli~~ Shimoga with jurisdiction in disputes as in the D.t Judge's letter

9/3/4 S.V. Venugopalaya

17

See The mere fall in the number of suits filed from the Koppa taluk is not perhaps an unmixed evil, for it may be that owing to the distance from the Court petty and doubtful cases are not taken to the Court but are settled by local arbitration or otherwise. There is however much room for the Complaint that the people of Koppa & Yedehalli are very far from

NOTE—Contn. sheet.

GPB—50,000—12-8-10

Serial No.

their Civil Court at Chickmagalur. The remedy proposed by the Chief Court is to establish a second munsiffs' Court at Shimoga and to transfer the jurisdiction over Koppa & Yedehalli to that court.

18 The proposal will however involve additional expenditure.

19 It is seen from the facts given in the Dt Judge's letter that the Subjudge at Shimoga is rather lightly worked & there seem to be much the suggestion to give him original jurisdiction over Koppa & Tarikere Yedehalli also in respect of suits seems worthy of consideration. He may if necessary be divested of sessions powers & made to devote his whole time to Civil work. [But it will be consulted after 2nd Cr is in favour of add munsiffs court at Shimoga]

2nd Cr

C. S. Balaram 13/3/14

1405

20 Please get figures showing how many suits of a higher value than 1000 Rs were instituted in the Munsiffs Court of Shimoga in 5 years & in the Talukas

NOTE—Contn. sheet.

GPB—50,000—12-8-10

Serial No.

of Koppa & Tarikere ~~It~~
I should like to see if the
pursuit of suits
for 1000 Rs ~~or~~ and all cases
of these taluks above that
limit sent to Sub Judge's
Court Shimoga. No need
for an addl Court there
(S. 10 Civil at Regm)-

H. V. Nanjundayya
16/3/11

21

Draft Subd
HCS (22)
21.3.11
SN (11)

22 June
21/3

9 To the Registrar, Chief Court
N J 2685 dt 24.3.11.
Calls for the above statistics.

10 From the Same officer, N 4692/285 dt 10.4.11
Furnishes the figures called for

Subd
HCS (22)
12-4-11
SN (11)

23
The total number of suits
of over Rs 1000/- in value filed with

NOTE—Contn. sheet.

GPB—50,000—12-8-10

G. R. S. 12]
General and Revenue Secretariat.

C.D. File No. 63 of 1909-10

Serial No.

Shimoga Munsiffs Court and those arising in the Talugs of Koppa and Tarikere during five years is 118 or an average of about 24 Suits a year. The number of such Suits filed in the Shimoga Court alone during 5 years is 74 or about 15 per year.

24 The suggested arrangement does not therefore appear to be feasible as that Court will get more work instead of less.

[The total number of suits from Koppa Taluq alone is about 100 a year.]

Subordinate Judge

Shivamaviya

13/4/11.

1905

25 I do not think it opportune to propose an additional Court in Shimoga. The Sub Court may be asked whether it would not do to give jurisdiction to the Sub Judge of Shimoga

NOTE—Contn. sheet.

GPB—50,000—12-8-10

SUBJECT No. 411.

Re-adjustment of civil jurisdiction.

Messrs. S. R. Balakrishna Rao, Nagar Sabha, and K. Sankaranarayana Rao, Shimoga Municipality.

Summary of discussion.—The civil jurisdiction over the taluks of Koppa and Tarikere may be taken from the Munsiff of Chikmagalur and transferred to the Subordinate Judge or Munsiff of Shimoga. It seems that the people of Koppa have memorialised Government in this matter. Tarikere Taluk is connected with Shimoga by rail, and it is more convenient and less costly for the people of that taluk to go to Shimoga than to Chikmagalur.

Reply of Government.—Noted.

Sibi This will be placed on the connected file under the Considerat of Govt

Jud (122) SM(11)
4-5-1911

4/5/11

4/5/11

G. R. S.-12]
General and Revenue Secretariat.

Cs File No. 63 of 19 11

Serial No.

over Koppa & Tarikere on
Suits falling ordinarily
within a Muffs jurisdn

H. V. Nanjundayya

Dewan 17/4/11

11/4/11
19.4.11

Cs

Yes The inquiry may
remain - as proposed by 2d Comm-
-ttee I did not understand how the Munsif's
attitude can be considered to be
fully worked when I have heard from
several sources that they were
canvassed & attended the case
Please it early! These statistics
seem to be an inadequate data

18/4/11

T. Ananda Rao
Dewan

Draft
Srinivasa Rao
30/6/11

Draft Subd
Secy (Offr)
3-7

4/7/11

Srinivasa Rao

7/7/11

NOTE—Contn. sheet.

GPB—50,000—12-8-10

G. R. S. 12]
General and Revenue Secretariat.

Cl8 File No. 63 of 1909-10.

Serial No.

11. To the Registrar, Chief Court
N.J. 182 dy 11.7.11
Invites the opinion of the Chief Court as to whether it would not do to give jurisdiction to the Subjudge of Shimoga over Koppa and Tarikere in regard to certain Suits.
Issued and Submitted to 2nd Councillor for information.
Hegde (22) SW(11)
11.7.11.
Seen. We may consider the matter raised by the Dewan when the Ch Ct's reply is received.
H. V. Nanjundayya
11/7/11

12. From the Registrar Chief Court No 422/32 dy 24-7-11
Forwards copies of the opinions of the Judges regarding the question raised in Sl. 11.
Subd
AS. 6a. SW(11)
26-7-11.
With due respect it is submitted that some additional work may be assigned to Subordinate Judge of Shimoga without making his work unduly heavy. It is

Note—Contn. sheet.

GPB—50,000—12-8-10

Serial No.

admitted on all sides that the people of the northern half of Koppa Taluq have a very real grievance in the matter. The question of transferring the jurisdiction over this portion at least, of the Sub-Judgeship of Shimoga may perhaps be considered.

34 To the people of Tarikere Shimoga is nearer and more easily accessible than Chikmagalur but then it is not so very inconvenient to them to go to the latter place. Their grievance may therefore wait consideration for some time.

S. Srinivasa Rao
26/7/11.

Sec/36
Ind C

C. Balasundaram Ayyar
28/8/11

36 I think we must try & give more work to the Sub Judge of Shimoga before thinking of another Court. If the Dewan likes the subject may be considered at a meeting of Council.

28/8/11

V. Rangachariar
30/8/11

Note—Contn. sheet.

GPB—50,000—12-8-10

332/1

Serial No. 37

This may be brought up at a meeting of Council T. Anandarao

Circulate & note for meeting.

C.K. Balasundaram Aiyar
29/12/09

H. Krishnamurthy
1/10/11

38

seen. The idea of giving more work to the Sub Judge at Shimoga so as to employ his time fully is one that has my hearty concurrence. The Munsiff of Shimoga has enough work at present, judging from statistics.

I am not in favor of opening an addl Munsiff's Court

V. P. Puttanna Chetty
2/10/11

4088
28.10.11.

16

Extract from the Proceedings of the 271st Meeting of the Council of His Highness the Maharaja, held at Bangalore on the 26th October 1911

Re the Civil Court jurisdiction over the Taluks of Koppa and Tarikere.

OPINION OF THE COUNCIL.

40

The jurisdiction over the Tarikere Taluk may be withdrawn from the Munsiff, Chicknaikur. and vested in the Sub-Judge, Shimoga. The Koppa Taluk may remain

Submitted to His Highness.

41 At the meeting of the Dasara Representative Assembly in 1909, a representation was made to the effect that the Civil jurisdiction over the Koppa and Tarikere taluks should be transferred from the Munsiff of Chikmagalur to the Sub-Judge or Munsiff of Shimoga. The reply of Government was that the subject was noted for consideration after local enquiry.

Cmtb 252 07

42 2. The Government have now before them the opinions of the Deputy Commissioner of Kadur, the District Judge of Shimoga and the Judges of the Chief Court.

E. F. G

43 3. Mr. K.R. Srinivasiengar Deputy Commissioner, says that the people of the Koppa taluk (including Yedehalli and Sringeri) have a real grievance, and suggests that a Munsiff's Court may be re-established at Yedehalli, and that in order to give sufficient work to the Munsiff he may be given first class magisterial powers over Koppa, Yedehalli and Sringeri and perhaps also revenue jurisdiction

19

jurisdiction over Koppa and Yedehalli.

44 4. Mr. Hamza Hussain, District Judge, does not favour the re-establishment of the Yedehalli Munsiff's Court as the people of Tarikere would not like it and it would be difficult to find sufficient work for a Munsiff at Yedehalli. He therefore makes two alternative proposals:-

45 (1) To make the Sub-Judge of Shimoga to exercise the jurisdiction of a Munsiff over the Koppa taluk. But he fears that this will make the work of the Sub-Judge too heavy.

46 (2) The second alternative and the one favoured by the District Judge is to establish an Additional Munsiff's Court at Shimoga, transferring the Koppa and Tarikere taluks and the Yedehalli Sub-taluk to the jurisdiction of the Principal and Additional Munsiff's Courts at Shimoga with certain re-arrangements. The District Judge's proposals under this head include the transfer of the Belur taluk from the Hassan to the Chikmagalur Munsiff's Court, of the Arkalgud or Chenrayapatna taluk from the Hole-Narasipur to the Hassan Court, of the Yedatore taluk from the Additional Munsiff, Mysore to the Hole-Narasipur Munsiff and of

2

one of the taluks now comprised in the jurisdiction of the Seringapatam Munsiff to the Additional Munsiff of Mysore. One difficulty which the District Judge refers to in regard to this arrangement is the want of accommodation at Shimoga.

I

47 5. The Chief Court in their letter dated 2nd March 1911 suggested the appointment of an Additional Munsiff at Shimoga both to give relief to the existing Munsiff's Court there and to do the work of the Koppa and Tarikere taluks. Subsequently in answer to an enquiry from Government as to whether it would not be sufficient to transfer the Munsiff's Court jurisdiction over the Koppa and Tarikere taluks to the Sub-Judge of Shimoga, the opinions of the individual Judges of the Chief Court have been furnished.

Paper under disposal

48 Mr. Paramasiva Iyer proposes that the Munsiff's Court jurisdiction over Yedehalli, Tarikere and the northern half of the Koppa taluk should be transferred to the Sub-Judge of Shimoga, and that the Munsiff of Chikmagalur whose work will be thus lightened should be made Treasury Officer of the Kadur District and first class magistrate. Messrs. Chandrasekhara Aiyar and Krishna Rao adhere to the opinion already expressed by the Chief Court in their letter of the 2nd March

that 21

1911 an Additional Munsiff should be appointed for Shimoga.

49 6. The question was considered in Council on the 26th October. The Council is of opinion that the jurisdiction over the Tarikere taluk may be withdrawn from the Munsiff of Chikmagalur and vested in the Sub-Judge of Shimoga, and that the Koppa taluk may continue to be under the Chikmagalur Munsiff's Court. This may be approved as involving least change and serving all interests on the whole satisfactorily.

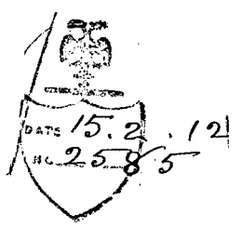
T

In Pthamdaram
15 Feb 22

22

Record of Cases submitted for the Orders of His Highness the Maharaja

25/12



Subject.

Transfer of the civil jurisdiction of the Tarikere Taluk from the Munsiff of Chikmagalur to the Sub-Judge at Shimoga.

410

Order.

Approved
~~KRW~~
23/2/12

Secy
24/2/12

Draft
by C.S. Balasundara Rajaiyar
26/2/12

26/2

27/2

27

G. R. S. 12]

General and Revenue Secretariat.

Cts File No. 63 of 1909-10.

Serial No.

52 Submitted with a draft order and a draft notification for approval.

53 (2) A date has to be fixed for bringing the alteration of jurisdiction into effect. 15th March 1912 has been entered in the draft provisionally subd for orders

Acs-122
29-2-12.
T.K.S 1/3/12

54 It seems better to give effect to the change from the 1st July 1912. The Courts close for Summer Vacation about the middle of April. There will always be heavy work just before the closing of the Courts. The change will throw additional work on the staff

S. Srinivasamma
1/3/12

In order to app

49 12.

Sec 1st C

C. Malasundaram Sirs 6/3/12

53 I agree.

H. Chinnayanappa 6/3/12

Draft approved by Sd 7/3/12

Dewan 9. 3. 12

NOTE—Contra. sheet.

GPB—20,000—20-1-12

G. R. S. 12]

General and Revenue Secretariat.

File No. 63 of 1912

Serial No.	
	By Issue
	A. Rangadasumdaram Avyar 16/2/12
	A Ree 4/4/12
13	To the Regr. ch. it, Complr & D.C., Kadur. No J 2647-98 13-8-12
14	States that civil jurisdiction over Tarikere taluk may be withdrawn from the munsiff of Chikmagalur & vested in the Subordinate Judge of Shimoga.
	To the Comptr, Mysore Gazette. No J 2650 dt 13-8-12
	Direct, in exercise of the powers conferred by Sectn 5 of the Mysore Civil Courts Regulation 1888, that the taluk of Tarikere be withdrawn from the local limits of the jurisdiction of the munsiff of Chikmagalur and transferred to the Court of the Subordinate Judge of Shimoga with Effect from the 1st July 1912

NOTE—Contra. sheet.

GPB—20,000—20-1-12

G.R.S. 26]

Cfs File No. 63/09
Serial No. 13

15/4/10

Diary No. of letter replied to

No.

J 3072 & 15/4/10

General and Revenue-Secretariat
( )
the 190

To (1) The Registrar & the
J 3073 & 15/4/10 Chief Court of
Mysore
(2) Dy Commr. Kadur Dist

Date of issue 15-4-10

Has the honor to
invite his attention to
Local Subject No 386
of 1909, and the reply of
Govt thereto, re the Civil
Court jurisdiction over
the taluks of Kopba
and Tarikere, and to
request him to be so good
as to favour Govt with
the opinion of the Chief
Court ~~passed after such~~
~~local inquiry~~ as may
be necessary

Signed by M S Aiyangar

By order

N.B.

Please say his in the
fair Copy to be sent
to the D.C. Kadur.

(his)

SUBJECT.

For Secy

DFO
Hcs
14-4-1910.

SN
14/4/10

mbr
16/4

No 4583/270

CS-63.09-4

Bangalore,

22nd April 1910.

From,

V.A.Rajaratna Mudaliar,Esq.

Registrar,Chief Court of Mysore.

To,

C.S.Balasundaram Iyer,Esq.,

Offg: Secretary to the Govt. of Mysore,

Genl: & Rev: Departments.

Sir,

With reference to your no.J.3072 dated 19th Instant, calling for the opinion of the Chief Court as regards Subject No.386 of the Proceedings of the Representative Assembly of 1909 (Re Civil Court jurisdiction over Koppa and Tarikere Taluks) I am directed to state that the Chief Judge quite recognizes that the Koppa people and, to a much less extent, the Tarikere people have a grievance but he does not see his way to recommend any redistribution of work as the Shimoga files are already too congested. So far too as the Chief Judge's information goes, the establishment of a Munsiff's Court at Yedahalli would not be justified. However when the Chief Judge visits Shimoga, he will inquire further and see whether any thing can be done.

I have the honor to be,

Sir,

Your most obedient servant,

REGISTRAR.

CR 63-09-5

Office of the Deputy Commissioner

Kadur District

Dated. Chikmagalur. the 24th September 1910.

From

K.R.Srinivasa Iyengar, Esquire, M.A.,

Deputy Commissioner,

Kadur District.

To

C.S.Balasundaram Iyer, Esquire, B.A.,

Offg: Secretary to the Government of Mysore.

General and Revenue Departments.

Sir,

With reference to your No. J.3073 dated 19th April 1910 inviting my attention to local subject No. 386 of the Dasara Representative Assembly Proceedings of 1909 and the reply of Government thereto, re the civil jurisdiction over the Taluks of Koppa and Tarikere now ~~received~~ exercised by the Munsiff's Court at Chikmagalur being transferred to the Court at Shimoga, I have the honor to state that the grievance represented with regard to the Koppa Taluk including the Sringere Jahagir is a real one and the subject deserves the favorable consideration of Government The distance from Chikmagalur to Koppa is over 50 miles and to Sringere about 55 miles, while the Villages in the interior of the Taluk are still further off,- the most distant of them being about 80 miles from Chikmagalur. There can therefore be no doubt that parties and witnesses in the Taluk are put to very great trouble and expense in travelling to and from the Court at Chikmagalur especially during the monsoon months when travelling is very difficult in the malnad and some of the District Funds and

Village roads with unbridged streams are rendered almost untrafficable. The Munsiff's Court at Yedehally was abolished and the jurisdiction over Koppa and Tarikere Taluks was transferred to the Chikmagalur Munsiff's Court in 1907-08. Since then, the number of suits (Original and Small Cause) filed annually from Koppa Taluk have fallen by 50 per cent, the figures for 1909-10 being 50 Original and 18 Small cause suits as against 100 Original and 46 Small cause suits from the Taluk in 1906-07 (which was the last year in the which the Yedehally Munsiff's Court was working). The marginally noted figures showing the number of suits filed in the three years from 1907-08 since the Yedehally Munsiff's Court was abolished as compared with the figures for 1906-07 when the Yedehally Court was working disclose a steady decline in the number of all kinds of suits filed from the Taluk and this decline in the number of suits has necessarily led to a corresponding fall in the Stamp revenue from the Taluk. The only inference that can be drawn from these figure is that the parties from this Taluk have been placed at such great disadvantage that they resort to the Court only as a last remedy and under unavoidable circumstances and that justice has been made too costly and expensive for them to obtain it through the Courts. This is particularly the case with respect to small sums of money, as one would rather forego a small sum ~~of money as one would rather forego a small sum~~ than undergo the expense and trouble of filing a suit for it in a distant place involving many days journey from his place.

Years.	Original Suits.	Small Cause.
1905-06.	122	31
1906-07	100	46
1907-08	63	45
1908-09.	95	24
1909-10	50	18

2. In the case of of the Tarikere Taluk, however, the marginally noted figures show that the number of suits from the Taluk have not been affected by the transfer of the jurisdiction.

Year.	Original. Suits	Small Cause.
1905-06.	123	58
1906-07	109	38
1907-08	120	72
1908-09	120	54
1909-10.	127	71

jurisdiction from Yedehally to Chikmagalur. It is no doubt true that on account of the facility of railway communication between Tarikere and Shimoga, the people of the Taluk will find it much easier and far more convenient to go to Shimoga rather than to Chikmagalur; but it cannot be said that the cost and trouble of a journey to Chikmagalur are in any way prohibitive in their case, as it is in the case of the people of the Koppa Taluk.

3. If I may venture to express my opinion on a point which has been already decided by Government, I would state that in consideration of the difficulties and expense of travel in the malnad, it is desirable that the Munsiff's Court at Yedehally should be revived so that the people of Koppa, Yedehally and Sringere may be able to obtain ready and cheap justice. It may be that there will not be sufficient work for a Munsiff at Yedehally if he were to devote his attention only to civil work. But I think it may not be difficult to find some more work for him which will give him sufficient occupation. He may be invested with First Class Magisterial Powers and given jurisdiction over the whole of the Koppa Taluk including Yedehally and Sringere. He may also if necessary be given revenue jurisdiction over Koppa Taluk including Yedehally. Such an arrangement is believed to be in force in some distant and out of the way places like Kollegal in the Madras Presidency where the Deputy Collector also exercises civil powers as either the revenue or criminal work alone is not sufficient to engage his full time.

I have the honor to be,

Sir,

Your most obedient servant,

W. S. Duncan

Deputy Commissioner.

Kadur District.

1900. J 1304

No. 2489

Name of Petitioner, Nanjundayya and others

Village, Koppa

Taluk, Koppa

District, Kadur

Date of Arzi,

Date of Receipt, 5 Nov 10

Date of disposal,

No. of Enclosure, Nil

ABSTRACT

Request that the Koppa Taluk may be transferred to the Civil jurisdiction of the Munsiffs Court of Shimoga instead of that at Chickamagalur and if this is not possible, that the Munsiffs Court may be reestablished at Yedehalli

7/11/10

B

To the 2nd Councillor with Compliments

7/11/10

Judl

8/11/10

Ric 8/11/10

8 N° 6

Cts. 63-07

1) Key post reg. No. 18/-
on 5 Nov 90

2) Encl:- Nil

3) Stamp - Nil

7/11/90

ಯಾಡೇಡುಳ್ಳ ತಾಲ್ಲೂಕಿನಲ್ಲಿ ಶಿಕ್ಷಣ-ಕಲಿತ್ತ
ವಿದ್ಯಾರ್ಥಿಗಳು. ವಂಶಪಾರಂಪರ್ಯವಾಗಿ-ಬೇಸಾಯ
ಕ್ರಮ-ಭೂಮಿ-ಯಲ್ಲಿ ವಿಷಯಗಳನ್ನು ನಮ್ಮಿಗಳಿಂದಲೂ
ಶಿಕ್ಷಣ ಪಡೆದಿದ್ದ ವಿದ್ಯಾರ್ಥಿಗಳು. ಕಷ್ಟಪಟ್ಟು ಕೃಷಿ
ಕ್ರಮಗಳನ್ನು-ಅವರು ಸ್ವಲ್ಪವಾದರೂ-ಶಿಕ್ಷಣ
ಪಡೆದಿದ್ದರು. ಸುಮಾರು ಐವತ್ತು ವರ್ಷಗಳ
ಹಿಂದೆ-ನಮ್ಮ ಹಿರಿಯರು ಇಂಥ ಶಿಕ್ಷಣವನ್ನು
ಪಡೆದಿರಲಿಲ್ಲ. ನಾವು ಸ್ವಲ್ಪ-ಬೆಳೆದ ಅಥವಾ
ಅನ್ನಿ ವಸ್ತುಗಳ ಕ್ರಮಗಳನ್ನು ಶಿಕ್ಷಣ ಪಡೆದವರಲ್ಲಿ
ಕೆಲವರಾದರೂ ಕೃಷಿಯಲ್ಲಿ ಆಸಕ್ತಿ ತೋರಿಸಿ
ಕೃಷಿಯಲ್ಲಿ ಮುಂದುವರಿದಿದ್ದಾರೆ. ನಮ್ಮ ಶಿಕ್ಷಣದಲ್ಲಿ
ಕೃಷಿಗೆ ಸಂಬಂಧಪಟ್ಟ ವಿಷಯಗಳನ್ನು ಕಲಿಸಿದ್ದರೂ
ಅವರಲ್ಲಿ ಕೃಷಿಯ ಬಗ್ಗೆ ಆಸಕ್ತಿ ಹುಟ್ಟಿಸಿ
ಬೆಳೆಸಿದ್ದರೂ-ಶಿಕ್ಷಣವು ಕೃಷಿಗೆ ಪೂರಕವಾಗಿ
ಪರಿಣಮಿಸುತ್ತಿತ್ತು. ಆದರೆ ಹಾಗಾಗಲಿಲ್ಲ.
ಶಿಕ್ಷಣವು ಕೃಷಿಗೆ ಮಾರಕವಾಗಿ ಪರಿಣಮಿಸಿತು.
ಕೃಷಿಯಲ್ಲಿ ಆಸಕ್ತಿ ಇದ್ದವರು ಶಿಕ್ಷಣ ಪಡೆದ
ನಂತರ ಕೃಷಿಯಲ್ಲಿ ಆಸಕ್ತಿ ಕಳೆದುಕೊಂಡರು.
ಕೃಷಿಯಲ್ಲಿ ಆಸಕ್ತಿ ಇಲ್ಲದವರು ಶಿಕ್ಷಣ ಪಡೆದ
ನಂತರ ಕೃಷಿಯಲ್ಲಿ ಆಸಕ್ತಿ ಬೆಳೆಸಿಕೊಳ್ಳಲಿಲ್ಲ.
ಇದು ಶಿಕ್ಷಣದ ಪರಿಣಾಮವೋ ಅಥವಾ ಶಿಕ್ಷಣ
ಪಡೆದವರ ಪರಿಣಾಮವೋ ಗೊತ್ತಿಲ್ಲ. ಶಿಕ್ಷಣಕ್ಕೆ
ಪೂರಕವಾಗಿ ಕೃಷಿಯಾಧಾರಿತ ಕೈಗಾರಿಕೆಗಳು
ಬೆಳೆಯಲಿಲ್ಲ. ನಮ್ಮ ಸಿವಿಲೈಜೇಷನ್
ಕೃಷಿಯನ್ನು ಆಧರಿಸಿಲ್ಲ. ನಾವು ಶಿಕ್ಷಣವನ್ನು ಕೈಗಾರಿಕೆಗಳನ್ನು
ಕೃಷಿಯಿಂದ ಬೇರ್ಪಡಿಸಿ ಕೃಷಿಯನ್ನು ಅವಜ್ಞೆಯಿಂದ
ನೋಡುವಂತೆ ಮಾಡಿದೆವು.

ನಮ್ಮ ಸ್ವಾತಂತ್ರ್ಯ ಹೋರಾಟದಲ್ಲಿ ಇಂಗ್ಲೀಷರನ್ನು
ಓಡಿಸಿಕೊಳ್ಳುವವರೆಗೆ ಕೆಲವೊಂದು ಸ್ವಾತಂತ್ರ್ಯ ಸಂಗ್ರಾಮಗಳು
ಮಾಡಿಕೊಂಡಿದ್ದೇವೆ. ನಂತರ ಕೊಡುವಷ್ಟು ಬೇರೆ ಸಮಸ್ಯೆಗಳು
ಶಿವೇಗಾಗಿ-ನಮ್ಮ ತಾಲೂಕಿನ ಸಿವಿಲೈಜೇಷನ್

S. Ramanabapol

Sallebile

7

G.R.S. 26]

Cts. File No. 63-09
Serial No. 7

1304
2/12/10

Diary No. of letter replied to

No. J 1710 Encl 1.

General and Revenue Secretariat
(Cts)
, *the* 19 .

To
The Registrar of the
Chief Court of Mysore

Date of issue 6-12-10

Signed by for Shivaramaiya

Adverting to his letter
No 4587 dated the 22nd April
1910, 270 stating that when the
Chief Judge visits Shimoga
he will enquire further and
see whether anything can
be done in the matter
of the representation of the
people of Koppa and Tarikere
regarding the Court jurisdiction
over their Taluks, has the
honor to forward herewith
for the information of the
Chief Court a copy of letter
No 130 dated the 24th Sept 10.

over.

SUBJECT.

MME 3/12

from the Dy Commissioner Kadur District, and to request that the Govt may be favoured with a final report when ready.

P. O.

For Secy.

SW (H)

List of enclosures,

Copied by

Examined by SW

GPB—20,000—12-8-10

No. 4055 / 34494 Encl: 1.

Chief Court of Mysore,

Bangalore, Dated 2nd March 1911.

From

V.A. Rajaratna Mudaliar Esq.

Registrar, Chief Court of Mysore.

To

C.S. Balasundaram Iyer Esq.,

Offg. Secretary to Government,

General & Revenue Departments.

Sir,

With reference to your No.J.1710/Cts.63-09-7 dated the 6th December 1910, I am directed to forward a copy of ~~the~~ letter No.A dated the 11th ultimo from the District ~~of~~ Judge of the Shimoga Division.

2. The choice appears to lie between the appointment of a second Munsiff to Shimoga and the establishment of a Munsiff's court at Yedehally. The third proposal detailed in para 13 of the District Judge's letter does not seem to be feasible.

3. I am to say that the Judges of the Chief Court are agreed in thinking that the better and more ~~convenient~~ economical plan will be to appoint a second Munsiff to Shimoga. As matters stand at present, the Munsiff is unable to cope with the pending file and in any case it would have been necessary sooner or later to afford him some relief. If this view commends itself to the Government, detailed proposals showing the additional establishment required will be submitted for sanction.

4. The Munsiff of Chikkamagalur will dispose of all the Koppa and Tarikere cases which are now pending in his court. If

it

Copy.

Office of the District Judge, Shimoga Dn.

No.A. Dated Shimoga, 11th February 1911.

From

Mir Hamza Hussein Esq.,
District Judge, Shimoga Division.

To

V.A. Rajaratna Mudaliar Esq.
Registrar, Chief Court of Mysore.

Sir,

With reference to your letter No.2632/90 dated 7th December 1910, calling for my opinion re the proposal made in the Representative Assembly regarding the transfer of the Civil Jurisdiction over the taluks of Koppa and Tarikere from Chikkamagalur Munsiff's Court, and the propcsal made by the Deputy Commissioner Kadur District, to re-establish the Munsiff's Court at Ydehalli, I have the honor to state as follows :-

The court at Ydehalli was established in 1883 with jurisdiction over the taluks of Koppa and Tarikere and the sub-Taluk of Ydehalli. It was a self-supporting court and it left a substantial balance in favor of the Government after deducting the establishment charges as may be seen from the following statement :-

Year.	No. of suits.	Income.	Expenditure.	Balance.
1902-3.	382.	11,263- 2- 0.	6,139-11- 8.	5,123- 6- 4.
1903-4.	497.	13,088-11- 0.	6,191-13- 7.	6,896-13- 5.
1904-5.	370.	9,264- 2- 0.	6,152- 4- 3.	3,111-13- 9.
1905-6.	427.	10,025-11-10.	6,712- 6- 2.	3,313- 5- 8.
1906-7.	350.	8,341-12- 6.	7,120-12-11.	1,221-15- 7.

2. The number of the suits was not large, but most of them were highly of a highly contested nature involving difficult and complicated questions of law and fact. From my experience of the court as Munsiff in 1894, and as Subordinate Judge exercising appellate jurisdiction over that court, I can say that that was the only court in the Division which used to give cases which would tax the intelligence, energy and legal acumen of the Judge It used to be a good training ground for the beginners and the junior Munsiffs used generally to be posted to it. Some of them were invested with the powers of a Magistrate of the 2nd class and used to have their time fully occupied. Though the second class cases were not many, particularly when the Amildar of Koppa and Tarikere exercised second class powers, the presence of a Magistrate at a central place in the malnad was very useful for recording confessional statements and obviated the necessity of marching prisoners over long distances to Chickmagalur.

3. For purposes of economy this court was abolished with effect from 1st July 1907, by Government Proceedings No.1400/Cts 103-06-3 dated 27th November 1906, the jurisdiction over Koppa and Tarikere taluks being transferred to Chikkamagalur Munsiff's Court and that over Yedehally Sub-Taluk, to the Munsiff's Court and Sub-Judge's court, Shimoga, in respect of original and Small Cause Suits, respectively. Since then, the number of suits instituted from the Koppa taluk, including the Sringeri Jahgir, has, as remarked by the Deputy Commissioner, steadily gone down and there has been a corresponding decrease in the revenue derivable from Court-fee stamps. The following statement gives the number of suits, original and small causes, instituted from the Koppa taluk for 5 years prior to, and for three years subsequent to, its abolition :-

Prior to abolition.

Year.	Number of suits. Orgl. -- S.C.		Income.
1902-3.	140.	20.	₹6,362- 5- 7.
1903-4.	154.	28.	₹7,070- 0-10.
1904-5.	93.	23.	₹2,649-11- 5.
1905-6.	126.	34.	₹3,697- 5- 1.
1906-7.	86.	29.	₹1,284-10- 7.

Subsequent to abolition.

Year.	Number of suits. Orgl.-- S.C.		Income.
1907-8.	90.	18	₨2,005- 5- 0.
1908-9.	103.	16	₨2.441-15- 8.
1909-10	55.	13	₨1474 -12- 0.

4. Though the decrease is not large enough to neutralise the economical effect of the abolition of the court, yet there is no doubt that there has been a denial if justice in the case of many poor suitor living in the dreary and lonely regions of the Koppa malnad. The distance between Koppa and ~~Mudigere~~ Chikmagalur and the difficulty of travelling accounts, as remarked by the Deputy Commissioner, for the decrease in the number of suits. There are, in the Province, places which are far apart from the civil court as the far off places in the Koppa taluk. But the peculiarity of the taluk is this, that almost all the persons visiting the civil court claim to be arecanut sowcars and as such demand large sums of money as Witness Batta. In no court in the Province are such large sums deposited in the shape of Witness Batta as in the Chikmagalur Munsiff's Court. The result is that it is beyond the powers of many a poor man to resort to the civil court for the redress of his grievances. In no -- place is the necessity greater for locating civil courts within easy reach of the people than in the malnad of the Koppa side, where the system of 'suthige' is in full operation. This system is the ~~remand~~ remnant of the old slavery system and though the 'suthige Kulas' or serfs have been enfranchised, still their lands being encumbered, they cannot escape from the tyranny and oppression of the sowcars who hold them in bondage from geration to generation, by means of the 'Samprathi patties' or periodical settlement of accounts which know no beginning nor end. The recent

abolition

abolition of the Halat has the effect of freeing these cultivators of the soil from the thraldom of the sowcars, but in order that they may enjoy the full benefit of the measure, the courts of law should not be at a prohibitive distance from them. There can be no doubt that Chikmagalur is not a suitable place for the litigation of these parts. There must be a court in the heart of the Koppa Malnad or so near it that the people may not find it inconvenient to resort to it freely for enforcement of their right or redress of their wrongs.

5. There are two proposals on record to remedy this state of affairs. The one is the establishment of the old court at Yedehally and the other the transfer of the jurisdiction over the Koppa taluk, along with Tarikere, to the Shimoga Courts. The latter proposal involves the establishment of an additional Munsiff's Court at Shimoga. The file of the Shimoga Munsiff's Court is very heavy consisting an average of 600 original suits, and as the cases are generally of a contested nature, the Munsiff requires occasional relief to remove the congestion of his court. Formerly, there was a court at Honnali with jurisdiction over the taluks of Davangere, Harihar, Honnali & Shikarpur. On the abolition of that court from January 1905, the jurisdiction over the Davangere taluk and Harihar Sub-Taluk was transferred to the Chitaldrug Munsiff's Court, the taluk of Shikarpur being transferred to the Sagar Munsiff's court. Though relief was given to the Shimoga Munsiff's Court by the transfer of the Small Cause Jurisdiction to the Sub-court at Shimoga, established in lieu of the Honnali Munsiff's Court, the work of that court is still too heavy for one Judge and it cannot bear the additional burden of the file of the Koppa Taluk, or the Tarikere Taluk, which on an average gives 69 and 75 cases a year, respectively, excluding the cses that fall within the Small Cause Jurisdiction of the Sub-Court, Shimoga, as may be seen from the following statement :-

Year.	Suits from Koppa & Tarikere
1905 - 06.	106 / 66.
1906 - 07.	60 / 71.
1907 - 08.	89 / 102.
1908 - 09.	51 / 76.
1909 - 10.	43 / 59.

6. If an additional court is established at Shimoga, then the jurisdiction between the 2 courts may be distributed as follows :-

Principal Munsiff's Court, Shimoga.

Shimoga & Tirthahalli taluks

and

Kumsi & Yedehally Sub-Taluks.

Additional Munsiff's Court, Shimoga.

Koppa, Tarikere, Channagiri and Honnali Taluks.

This will give on an average 447 and 345 cases as may be seen from the following statement :-

Suits above Rs.100 in value.

Year.	Shimoga Tq. including Kumsi Sub-Taluk.	Tirthahalli Taluk.	Yedehalli taluk	Koppa Taluk	Tarikere taluk	Chennagiri Tk.	Honnali Taluk.	Remarks.
1905-6.	282	219	2	106	66	129	130	
1906-7.	291	156	2	60	71	106	126	
1907-8.	248	157	27	89	102	83	90	
1908-9.	254	166	20	57	76	85	75	
1909-10.	216	171	27	43	59	95	86	
Total.	1291	869	78	349	374	498	507	
Avge.	258	174	16	70	75	100	101	

7. The work so distributed will be quite ample for each Judge and if need be, these Judges may be invested with criminal powers. The taking away of the taluks of Koppa and Tarikere from the jurisdiction of the Munsiff of Chikmagalur will considerably reduce the work of that court. The Munsiff will have three taluks to exercise jurisdiction over,- viz.,Kadur, Chikmagalur and Mudgere, in fact, over the same area comprised within the local limits of his jurisdiction prior to the abolition of the Yedehally Munsiff's court in 1907. He will have on an average 355 original and 336 small cause suits to deal with, as may be seen from the following statement :-

	Kadur. O.S.	Kadur. S.C.	Chikmagalur O.S.	Chikmagalur S.C.	Mudgere. O.S.	Mudgere. S.C.	Total. O.S.	Total. S.C.
1905-6.	53	167	139	256	27	58	219	481
1906-7.	63	69	155	175	24	21	242	265
1907-8.	198	168	264	169	62	28	524	365
1908-9.	175	74	235	177	66	26	476	277
1909-10.	129	75	127	183	57	37	307	295

8. The number is likely to increase ~~the~~ in course of time as the price of coffee now is raising in the market. If the civil work is considered insufficient, he may, I think, be invested with criminal powers. Formerly, the Munsiff of Chikmagalur used invariably to exercise second class powers and if the Government be further pleased to extend the experiment of separating the executive from judicial functions, he may be invested with Third Class powers also to be exercised over the taluk of Chikmagalur in place of the Amildar Magistrate.

9. An ideal arrangement will be, and this I suggest with great diffidence, to attach the taluk of Belur in the Hassan District to the Chikmagalur Munsiff's court. Belur is only 14 miles distant

distant from Chikmagalur and no part of that taluk is more than 25 or 30 miles distant from the Court-house at Chikmagalur. The appellate jurisdiction in civil matters over the taluks may be exercised by the District Court of Shimoga. There is no statutory bar to this but only the limits of the jurisdiction of the District Court, Shimoga, will have to be altered by a Government Notification.

10. In lieu of the Belur taluk, any one of the taluks of Arkalgud or Chennarayapatnam may be attached to Hassan Munsiff's Court and the taluk of Yedatore may be tacked on to the Munsif's Court of Hole-Narsipur as was the case formerly, and one of the taluks comprised within the jurisdiction of the Seringapatam Munsiff's court may be placed under the jurisdiction of the Additional Munsiff's court at Mysore in lieu of the Yedatore taluk giving thus the much needed relief to the court of the Munsiff of Seringapatam.

11. The other proposal is to re-establish the court at Yedehalli, and this has been recommended by the Deputy Commissioner of the Kadur District. But the difficulty is to find sufficient work for the Munsiff. Formerly, the jurisdiction of this court extended over the taluks of Koppa and Tarikere. The new court cannot be established on the old lines since the change will not be agreeable to the people of the Tarikere taluk, chiefly because the road to Yedehalli lies mostly through a dense forest infested with wild animals. When the court of Yedehally was in existence, it was a matter of constant complaint by the merchants of Birur and the people of Ajjampur that their taluk was attached to the jurisdiction of the Yedehally Munsiff's court. Some -- years before the abolition of the court, the hobli of Santvari was detached from it and added to the jurisdiction of the Chikmagalur Munsiff's court. On account of its easy communication by rail with Shimoga, the people of Tarikere would like to have

their

their taluk attached to Shimoga rather than to Yedehally or Chikmagalur It gives them the further advantage of engaging the same lawyer in the appellate courts.

12. Thus, the establishment of the Yedehally Munsiff's Court on the old lines is quite out of the question. If the court is at all established, the jurisdiction will have to be confined to the taluk of Koppa alone. The taluk of Tirthahalli may be attached to it, but the measure will be extremely unpopular and will besides, weaken the Shimoga Munsiff's court. As proposed by the Deputy Commissioner Kadur District. the Munsif may be invested with First Class powers if the Government deem it advisable, but I am not in favor of giving him revenue work. There is no objection to his being given registration work.

13. A third proposal will be to tack on the Koppa taluk to the Sub)Court at Shimoga, the Sub)Judge exercising over this taluk the powers of a Munsiff on the same lines as the Sub-Court established in 1903. But I am afraid the work of the Sub-Judge will be very heavy. At present the amount of the work done by him is by no means inconsiderable as may be seen from the following table :-

Year.	O.S.	S.C.	Exn.	Mis.	Apls.	Sess.	Remarks.
1905-6.	a. 41.	336.	135.	191.	211.	1.	a. Includes 30 cases transferred from Shimoga Mf's court 5 from D.J.'s Ct., & 1 from Chikr.Mf's court.
1906-7.	10.	524.	239.	276.	173.	6.	
1907-8.	b. 26.	471.	262.	287.	120.	7.	b). Includes 3 cases transferred from Chikr. Sub-Court.
1908-9.	30.	610.	356.	208.	133.	9.	
1909-10.	c. 49.	570.	473.	160.	147.	8.	c. Includes 32 cases transferred from Shimoga Mf's court

14. Excluding the cases falling within the Small Cause jurisdiction. there will be on an average about 69 cases more to be dealt with by the Sub-Judge. This is not a small number and I am afraid that the legitimate work of the Sub-Judge will fall into arrears. Further, this arrangement gives no relief to the Munsiff's court, Shimoga.

15. Under these circumstances, I would suggest the establishment of an Additional Munsiff's Court at Shimoga on any of the lines suggested in paras 5 to 10 above, as it tends to the equal distribution of the work and the permanency of the arrangement. There is the difficulty of finding suitable accommodation for it at Shimoga, but a few rooms may be added for it in the proposed building for the Sub-Court. If, however the Government considers the presence of an independent Magistrate necessary ~~necessary~~ at Yedehalli, or wants to divest the Amildar of Koppa of his criminal powers, a court may be established at Yedehalli in its old building with civil jurisdiction over the taluk of Koppa and the Sub-Taluk of Yedehalli.

I have &c.

Sd-. Mir Hamza Hussein,

District Judge,

Shimoga Division.

" C o p y "

Registrar.

G.R.S. 26]

Cts. **File No.** 63-09

Serial No. 9

*Diary No. of letter replied to*_____

No. J 2685.

General and Revenue Secretariat

(cls)

, *the* 19 .

To

The Registrar of the

Chief Court of Mysore

Sir

Adverting to your letter

No 4055/3494 dated the 2nd

March 1911, regarding the

establishment of an

Additional Munsiffs

Court at Shimoga, I am

directed to request that

you will be so good as

to furnish Govt with

figures for the last five

over.

Date of issue 24-3-1911

Signed by Mr B Ramaswamaiya

SUBJECT.

showing the number of Suits of a higher value than Rs 1000/- instituted in the Munsiff's Courts of Shimoga, and also those of a similar nature which arose in the Taluks of Koppa and Tarikere, respectively, I have the honour to be, Sir, Your most obedient servant,

M/21/3/11

M (11)
21/3/11

D.J.C. (Acs (11)

List of enclosures,

Copied by AD/23/3/11

Examined by [illegible]

GPB—20,000—23-9-10

No. 4692 Genl
285

Chief Court of Mysore.

Bangalore dated 10th April 1911.
11 4

From.

The Registrar of the
Chief Court of Mysore
Bangalore

To.

The Offg: Secretary to the
Government of Mysore.
General & Revenue Deptts.

Sir,

Adverting to your letter No.
J. 2685/Cts: 63-09-4 dated 24th
ultimo I am directed to forward
herewith a statement furnishing
the figures thereon asked for.

The

The Taluks of Koppa and Tarikere were within the jurisdiction of the Yedahally Municipal Council during the years 1905-06 and 1906-07. and when that Council was abolished they were transferred to the jurisdiction of the Shimoga Municipal Council

I have the honor to be,

Sir.

your most obedient Servant

A Mitchell

Registrar

130

Statement showing the number of suits of a higher value than ~~Rs~~ 1000 instituted in the Munsiff's Court at Shimoga and of those which arose in the Koppa and Tarikere Taluks during the last 5 years.

Year	Instituted in the Shimoga Munsiff's Court	Suits which arose in Koppa Taluk	Suits which arose in Tarikere ~~Koppa~~ Taluk	Total Suits	Remarks
1905-06	17	6	2	25	Ye Dabally Munsiff's Court was attached to Shikarmaghi Munsiff's Court
1906-07	9	4	5	18	
1907-08	18	5	10	33	
1908-09	15	5	1	21	
1909-10	15	-	6	21	
Total	74	20	24	118	

Bangalore
10th April 1911.

Registrar.

137.

25 00/5-1

G.R.S. 26]

Cto File No. 63/09

Serial No. 117

Diary No. of letter replied to

No. J 182

General and Revenue Secretariat

(CS)

, the 19 .

To

The Registrar, Civil Court.

Date of issue 11-7-11

Signed by Mr D. Hiriyannaiya

Sir,

Adverting to the Correspondence ending with your letter N. 4692/285 dated the 10th April 1911, I am directed to request you to be so good as to favour Govt with the opinion of the Civil Court as to whether it would not do

over

SUBJECT.

to give jurisdiction to the
Subjudge of Shimoga
over Koppa and Tarikere
in Suits falling ordinarily
within a Munsiff's Jurisdiction
I have &c

For Secy

SW(11)
6/7/11

List of enclosures,

Copied by KG 8/7/11

Examined by SW 10/7

GPB—20,000—26-9-10

No. 422 Jud 2. 32

Ch 63-09-12

Chief Court of Mysore,

Bangalore, dated 21st July 1911.

222

From

V.A. Rajaratna Mudaliar Esq.,

Registrar, Chief Court of Mysore.

To

C.S. Balasundaram Iyer Esq.,Offg. Secretary to Govt.,

General & Revenue Departments .

S i r ,

With reference to your letter No.J.182/Cts.63-09-11 dated the 11th instant, enquiring, with reference to the correspondence ending with this office letter No.4692-285 dated the 10th April 1911, whether it would not do to give jurisdiction to the Subordinate Judge of Shimoga over Koppa and Tarikere in suits falling ordinarily within a Munsiff's jurisdiction, I am directed to forward copies of the opinions of the Judges, together with the statement referred to in the Offg. Chief Judge's Opinion.

I have the honor to be,

Sir,

Your most obedient servant,

V. Rajaratnam

Registrar.

MB.

C o p y .

Opinions of the Chief Court.

Mr Justice T. Paramasiva Iyer :- Unquestionably it would be convenient to people of the Yedehalli Sub Taluk and of the northern half of Koppa to have their cases tried in Shimoga and it does seem hard that people of Tarikere who are in railway communication with Shimoga should have to go to Chikmagalur partly by rail and partly (25 miles) by road. If Koppa and Tarikere are taken away nearly half the work of Chikmagalur Court will go. The southern half of Koppa is nearer Chikmagalur with a bridge over the Bhadra at Balehonnur and should in any case be attached to Chikmagalur. The Chikmagalur Munsiff may be Treasry Officer and 1st Class Magistrate in addition to exercising civil jurisdiction over Mudgere, Kadur, Chikmagalur and part of Koppa, his criminal jurisdiction being confined purely to 1st class cases. The District Judge of Shimoga should take up all original cases above ₹5,000/- and the Subordinate Judge invested with a Munsiff's jurisdiction over Yedehally, part of Koppa proper and Tarikere.

18th July 1911.

Mr Justice K.S. Chandrasekhara Aiyar :- The point on which our opinion is called by Government is merely whether it will not

not do to give jurisdiction to the Subordinate Judge of Shimoga over Koppa and Tarikere in suits falling within a Munsiff's jurisdiction.

I am afraid this proposal is quite impracticable. Indeed we have already pointed this out in anticipation with regard to the more limited proposal to tack on Koppa alone to the Subordinate Judge. (Vide second sentence of para 2 of our letter of the 2nd March 1911)

I do not know that we are called upon to make any further or alternative proposals at this stage, so long as that already submitted to Government has not been finally rejected.

For my part I adhere to the view expressed in our former letter, and think that we should urge its acceptance once more upon Government as the best under existing circumstances. that is to say, of couse, if Government is not prepared to re-establish the Yedehalli Munsiff's Court.

20th July 1911.

The Offg. Chief Judge :- When I expressed the opinion some-time ago that the Subordinate Judge of Shimoga might be invested with the original jurisdiction over Koppa and Tarikere taluks, in respect of suits falling within the jurisdiction of a Munsiff I was not in possession of the necessary figures. Having those figures now before me, I feel compelled to alter my opinion. The

proposal

proposal made in the letter of Government under reply, if given effect to, would result in an increase of about 144 regular suits to the present file of the Subordinate Judge, and the total No. of suits for disposal would then be about 162 on an average. In addition to this, the Subordinate Judge has on an average about 700 small causes and 180 appeals to dispose of, besides 8 criminal cases made over to him for trial as Assistant Sessions - Judge.

From the statement enclosed, it will be seen that the Subordinate Judge is not able to dispose of more than 22 regular suits, 540 small causes and 127 appeals on an average a year. Assuming that it is possible to increase the disposals, the Subordinate Judge will still be unable to cope with the increased work that will devolve on him. The proposal, therefore does not commend itself to me as being feasible and I adhere to the opinion expressed in this court's letter dated 2nd March 1911.

21st July 1911.

-:::::::O:::::::-

Registrar.

A.V.

A Statement showing the amount of Civil

Court at Shimoga and of the Chickmagalur

Nature of Cases	District Judge's Court, Shimoga						Subordinate	
	1907-08		1908-09		1909-10		1907-08	19
	For disposal	Disposed of	For disposal	Disposed of	For disposal	Disposed of	For disposal	Disposed of	For disposal
Regular Suits	32	27	16	5	17	12	33	19	44
Small Cause Suits							600	492	718
Execution Cases	34	27	26	20	28	17	292	255	393
Miscellaneous Cases	170	155	116	102	37	32	305	278	325
Regular Appeals	112	63	111	82	112	69	179	151	161
Miscellaneous Appeals	27	16	34	25	57	43	44	36	25

ork of the District and Subordinate Judges
Munsiff's Court for the past 3 years

e Judge's Court moga			Munsiff's Court Chickmagalur.							
8-09	1909-10		1907-08		1908-09		1909-10			
Disposed of	For disposal	Disposed of	For disposal	Disposed of	For disposal	Disposed of	For disposal	Disposed of	Remarks.	
									Average No of Suits instituted	O.S. / S.C.
18	74	28	921	661	923	750	697	474	District Judge's Court.	9 .
502	786	633	412	346	399	350	326	261	Sub Judge's Court.	35 / 557
305	561	484	1574	1360	1718	1445	1364	1193	Chickmagalur	
281	204	182	900	838	697	671	218	182	Munsiff's Court	639 / 318.
25	203	124								
4	5	5								

Registrar.

30.

2 Drafts

G.R.S. 28.]

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Cts File No. 63-09

Serial No. 13.

12/3

Diary No. of letter replied to

Proceedings of the Government of His Highness the Maharaja of Mysore.

GENERAL AND REVENUE SECRETARIAT.

(cls)

Date of issue 13-3-12

Signed by Mr S. Srinivasamurthy

READ—

Subjects No 386 and

R.9—411 of the Proceedings of the Representative Assemblies of the replies of Govt thereto, of 1909 and 1910 in the matter of the transfer of the Civil Jurisdiction over the talukas of Kolpa and Tarikere from the Munsiff's Court Chikmagalur to the Court of the Subordinate Judge or Munsiff

~~ORDER THEREON.—NO.~~

over.

SUBJECT.

GPB—10,000—19-4-10

at Shimoga.

(2) Correspondence ending with letter N 422/32 dated the 21 July 1911 from the Registrar Chief Court. ~~on the~~ ~~reaction~~ Subject.

Order thereon N:- J2647-9/ets 63-29-13, 13-3-12.

After a careful consideration of the matter, Govt are of opinion that the Civil jurisdiction over the Tarikere Taluk may be withdrawn from the Munsiff of Chickmagalur and Vested in the Sub Judge of Shimoga and that the Kopp a Taluk may ~~for the present~~ Continue to be under the Chickmagalur Munsiff's Court, ~~and~~ Govt are accordingly pleased to direct that the transfer of the jurisdiction referred to above, which involves least Change and which ~~is expected to~~ Serves all interests on the whole

G.R.S. 27]

GENERAL AND REVENUE SECRETARIAT.

(Continuation sheet draft form.)

satisfactorily, may be given effect to from the 1st July 1912 to 15th March 1912. The necessary notification will be published in the Gazette.

USB 6/3/12
Secretary to Govt

To
The Registrar, Chief Court.
" Comptr to Govt
" Dy. Commr. Kadur dt.
for Communication to the R.A. members concerned

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G.R.S. 26]

Replied

CS File No. 63-09

Serial No. 14

2485 Diary No. of letter replied to

translated

Notification No. J 2650

General and Revenue Secretariat

(CS)

the 19 .

~~To~~

In exercise of the powers conferred by Section 5 of the Mysore Civil Courts Regulation, 1883, Govt are pleased to direct that the Taluk of Tarikere be withdrawn from the local limits of the jurisdiction of the Munsiff of Chikmagalur and Court of the Subordinate transferred to the Subjudge of Shimoga with effect from the ~~15th~~ 1st inst March 1912

Date of issue 13-3-12

Signed by Sir CS Balasundaram

over.

SUBJECT.

Secretary

The Compiler, Mysore Gazette for publication

J 2651/13-3-12 Copy to the Registrar, Chief Court of Mysore

WB

SBR WB 3 Copies